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Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

5 April 2002

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First session
New York, 8-19 April 2002

New Agenda Coalition paper

Submitted by Egypt on behalf of the New Agenda countries

I- Background

1- In 1995, the States parties extended the Nuclear Non Proliferation Treaty indefinitely and undertook to make every effort to achieve its universality. The Review Process of the Treaty was strengthened and Principles and objectives to address the implementation of the Treaty were adopted. The Resolution on the Middle East was adopted as an integral part of the 1995 package.

2- In 1996, the Advisory Opinion of the International Court of Justice concluded unanimously that: "There exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control".

3- The Final Document of the 2000 NPT Review Conference represents a positive step on the road to nuclear disarmament. In particular, nuclear-weapon States made the unequivocal undertaking to accomplish the total elimination of their nuclear arsenals and agreed on practical steps to be taken by them that would lead to nuclear disarmament. To this end, additional steps were necessary to improve the effectiveness of the strengthened review process for the Treaty.

II- Fundamental Principles

4- The participation of the international community as a whole is central to the maintenance and enhancement of international peace and stability. International security is a collective concern requiring collective engagement. Internationally negotiated treaties in the field of disarmament have made a fundamental contribution to international peace and security. Unilateral and bilateral nuclear disarmament measures complement the treaty-based multilateral approach towards nuclear disarmament. It is essential that fundamental principles, such as transparency, verification and irreversibility, be applied to all disarmament measures.

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5- We reaffirm that any presumption of the indefinite possession of nuclear weapons by the nuclear-weapon States is incompatible with the integrity and sustainability of the nuclear non-proliferation regime and with the broader goal of the maintenance of international peace and security.

6- Irreversibility in nuclear disarmament, nuclear reductions, and other related nuclear arms control measures is imperative. A fundamental pre-requisite for promoting nuclear non-proliferation is continuous irreversible progress in nuclear arms reductions.

7- Each article of the Treaty is binding on the respective State parties at all times and in all circumstances. It is imperative that all States parties be held fully accountable with respect to the strict compliance of their obligations under the Treaty.

8- Further progress on disarmament must be a major determinant in achieving and in sustaining international stability. The 2000 NPT undertakings on nuclear disarmament have been given and implementation of them remains the imperative.

9- A nuclear –weapon-free world will ultimately require the underpinning of a universal and multilaterally negotiated legally binding instrument or a framework encompassing a mutually reinforcing sets of instruments.

III- Developments since the 2000 NPT Review Conference

10- To date, there have been few advances in the implementation of the thirteen steps agreed to at the 2000 NPT Review Conference.

11- We remain concerned that in the post Cold War security environment, security policies and defense doctrines continue to be based on the possession of nuclear weapons. The commitment to diminish the role of nuclear weapons in security policies and defense doctrines has yet to materialize. This lack of progress is inconsistent with the unequivocal undertaking by the nuclear-weapon States to achieve the total elimination of their nuclear arsenals.

12- In addition, we are deeply concerned about emerging approaches to the future role of nuclear weapons as a part of new security strategies.

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13- The Conference on Disarmament has continued to fail to deal with nuclear disarmament and to resume negotiations on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices taking into consideration both nuclear disarmament and nuclear non proliferation objectives. The expectations of progress that resulted from the 2000 NPT Review Conference have to date not been met.

14- Although implementation of the CTBT's international monitoring system has proceeded, the CTBT has not yet entered into force.

15- There are no indications that nuclear-weapon States have increased transparency measures.

16- Measures have been taken by one nuclear-weapon State to unilaterally reduce the operational status of its nuclear weapons systems

17- To date, there is no evidence of any agreed concrete measures to reduce the operational status of nuclear weapon systems.

18- There is no sign of efforts involving all of the five nuclear-weapon States in the process leading to the total elimination of nuclear weapons. On the contrary, there are worrying signs of the development of new generations of nuclear weapons.

19- While welcoming the statements of intent regarding substantial cuts by the United States and Russian Federation to deployed nuclear arsenals, we remain deeply concerned at the continuing possibility that nuclear weapons could be used. Despite the intentions of, and past achievements in bilateral and unilateral reductions, the total number of nuclear weapons deployed and stockpiled still amounts to thousands.

20- There is concern that the notification of withdrawal by one of the State parties to the treaty on the limitation of Anti-Ballistic Missile systems (ABM), the additional element of uncertainty it brings and its impact on strategic stability as an important factor contributing to and facilitating nuclear disarmament, will have negative consequences on nuclear disarmament and non-proliferation. It could also have grave consequences for the future of global security and create an apparent rationale for action based solely on unilateral concerns. Any action, including development of missile defense systems, which could impact negatively on nuclear disarmament and non-proliferation, is of concern to the international community. We are concerned about the risk of a new arms race on earth and in outer space.

21- The achievements and promise the bilateral START process held, including the possibility it offered for development as a plurilateral mechanism including all the nuclear-weapon States, for the practical dismantling and destruction of nuclear armaments, undertaken in the pursuit of the elimination of nuclear weapons, is in jeopardy.

22- In the United Nations Millenium Declaration, the heads of State and Government resolved to strive for the elimination of weapons of mass destruction, in particular nuclear weapons, and to keep all options open for achieving this aim, including the possibility of convening an international conference to identify ways of eliminating nuclear dangers.

23- We are concerned by the continued retention of the nuclear-weapons option by those three States that operate unsafeguarded nuclear facilities and have not acceded to the Treaty on the Non-Proliferation of Nuclear Weapons, as well as their failure to renounce that option.

24- There has been progress in the further development of nuclear-weapon- free zones in some regions, and, in particular, the movement towards freeing the Southern Hemisphere and adjacent areas from such weapons. In this context, the ratification of the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba by all States of the region, and all concerned States is of great importance. They should all work together in order to facilitate adherence to the protocols to nuclear-weapon-free zone treaties by all relevant States that have not yet done so. States Parties to those treaties should be encouraged to promote their common objectives with a view to enhance cooperation among the nuclear-weapon-free zones and to working together with the proponents of other such zones. On the other hand, no progress has been achieved in the establishment of nuclear-weapon-free zones in the Middle East, South Asia and other regions.

IV- The Way Ahead

25- We remain determined to pursue, with continued vigour, the full and effective implementation of the substantial agreements reached at the 2000 NPT Review Conference. That outcome provides the requisite blueprint to achieve nuclear disarmament.

26- Multilaterally negotiated legally binding security assurances must be given by the nuclear-weapon States to all non-nuclear weapon States parties. The Preparatory Committee should make recommendations to the 2005 Review Conference on the modalities for immediate negotiations on this issue. Pending the conclusion of such negotiations, the nuclear-weapon States should fully respect their existing commitments in this regard.

27- The nuclear-weapon States must increase their transparency and accountability with regard to their nuclear weapons arsenals and their implementation of disarmament measures.

28- Further efforts by nuclear-weapon States to effectively reduce their nuclear arsenals unilaterally are required. Formalization by nuclear-weapon States of their unilateral declarations in a legally binding agreement including provisions ensuring transparency, verification and irreversibility is essential. Nuclear-weapon States should bear in mind that reductions of deployments are a positive signal but no replacement for the actual elimination of nuclear weapons.

29- Nuclear-weapon States should implement the NPT commitments to apply the principle of irreversibility by destroying the nuclear warheads in the context of strategic nuclear reductions and avoid keeping them in a state that lends itself to their possible redeployment. While deployment reduction, and reduction of operational status, give a positive signal, it cannot be a substitute for irreversible cuts and the total elimination of nuclear weapons.

30- Further reduction of non-strategic nuclear weapons should be a priority. Nuclear-weapons States must live up to their commitments. Reductions of non-strategic nuclear weapons should be carried out in a transparent and irreversible manner and to include reduction and elimination of non-strategic nuclear weapons in the overall arms reductions negotiations. In this context, urgent action should be taken to achieve:

further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process;

(a) further confidence-building and transparency measures to reduce the threats posed by non-strategic nuclear weapons;

(b) concrete agreed measures to reduce further the operational status of nuclear weapons systems, and to

(c) formalizing existing informal bilateral arrangements regarding non-strategic nuclear reductions, such as the Bush-Gorbachev declarations of 1991, into legally binding agreements.

31- Nuclear-weapon States must undertake the necessary steps towards the seamless integration of all five nuclear-weapon States into a process leading to the total elimination of nuclear weapons.

32- We underline the importance and urgency of signatures and ratifications to achieve the early entry into force of the CTBT without delay and without conditions. This gains additional urgency since the process of the installation of an international system to monitor nuclear weapons tests under the CTBT is more advanced than the real prospects of entry into force of the treaty. This is a situation not consistent with the idea of elaborating a universal and comprehensive test ban treaty. In the interim, it is necessary to uphold and maintain the moratorium on nuclear-weapon-test explosions or any other nuclear explosions pending entry into force of the CTBT. The strict observance of the CTBT's purposes, objectives and provisions is imperative.

33- The Conference on Disarmament should establish without delay an ad hoc committee to deal with nuclear disarmament.

34- The Conference on Disarmament should resume negotiations on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices taking into consideration both nuclear disarmament and nuclear non proliferation objectives.

35- The Conference on Disarmament, as the single multilateral negotiating forum, has the primary role in the negotiation of a multilateral agreement or agreements, as appropriate, on the prevention of an arms race in outer space in all its aspects. The Conference should complete the examination and updating of the mandate contained in its decision of 13 February 1992, and to establish an ad hoc committee as early as possible.

36- The international community must redouble its efforts to achieve universal adherence to the NPT and to be vigilant against any steps that would undermine its determination to prevent the proliferation of nuclear weapons. Those three States[1], which are not yet parties to the NPT, must accede to the Treaty as non-nuclear weapon States, promptly and without condition, and bring into force the required comprehensive safeguards agreements, together with additional model protocol, for ensuring nuclear non-proliferation, and to reverse clearly and urgently any policies to pursue any nuclear weapons development or deployment and refrain from any action that could undermine regional and international peace and security and the efforts of the international community towards nuclear disarmament and the prevention of nuclear weapons proliferation.

37- The Trilateral initiative between the IAEA, the Russian Federation and the United States must be implemented, and consideration should be given to the possible inclusion of other nuclear-weapons States.

[1] India, Pakistan and Israel.

38- Arrangements should be made by all nuclear-weapon States to place, as soon as practicable, fissile material no longer required for military purposes under IAEA or other relevant international verification.

39- International treaties in the field of nuclear disarmament and non-proliferation must be observed, and all obligations flowing from those treaties must be duly fulfilled.

40- All States should refrain from any action that could lead to a new nuclear arms race or that could impact negatively on nuclear disarmament and non-proliferation.

V- The Strengthened Review Process

41- The Preparatory Committee should deal with the procedural issues necessary to take its work forward but also with matters of substance as was decided in the 1995 and 2000 outcomes, and to ensure that the issues of substance deliberated upon are recorded in the factual summary of the Preparatory Committee.

42- The Preparatory Committee should substantively focus on nuclear disarmament so as to ensure that there is a proper accounting in the reports by States of their progress in achieving nuclear disarmament. Accountability will be assessed in the consideration of these reports that the States parties agreed to submit.

43- The Preparatory Committee should consider regular reports to be submitted by all States parties on the implementation of article VI and paragraph 4 (c) of the 1995 Decision. The strengthened review process envisioned in the 2000 NPT Final Document concerning the implementation of the Treaty and Decisions 1&2 as well as the Resolution on the Middle East adopted in 1995 should be fully implemented.

44- These reports should be submitted to each session of the Preparatory Committee. The reports on article VI should cover issues and principles addressed by the thirteen steps and include specific and complete information on each of these steps (*interalia*, the number and specifications of warheads and delivery systems in service and number and specifications of reductions, dealerting measures, existing holdings of fissile materials as well as reduction and control of such materials, achievements in the areas of irreversibility, transparency and verifiability). These reports should address current policies and intentions, as well as developments in these areas.

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Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Implementation of article VI and paragraph 4 (c) of the 1995 Decision on "Principles and objectives for nuclear non-proliferation and disarmament"

Report submitted by Sweden

1. As stated in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in the section entitled "Article VI and eighth to twelfth preambular paragraphs", in paragraph 15, subparagraph 12, the Conference agreed on: "Regular reports, within the framework of the strengthened review process for the Non-Proliferation Treaty, by all States parties on the implementation of article VI and paragraph 4 (c) of the 1995 Decision on 'Principles and Objectives for Nuclear Non-Proliferation and Disarmament'".

2. Sweden would hereby like to submit its report to the first session of the Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

Nuclear disarmament

The 2000 NPT Review Conference

3. During the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Sweden participated in the New Agenda Coalition, which played a role in the final negotiations with the nuclear-weapon States to secure a successful outcome of the Conference. The group had prepared extensively for the Review Conference and had a common position as basis for negotiations.

4. Sweden, as a member of the European Union (EU), also participated in developing a common EU position for the Review Conference. The Union delivered a statement on the basis of the joint position at the Conference.

5. Since the 2000 Review Conference, the New Agenda Coalition has engaged in a constructive dialogue with the nuclear-weapon States on their implementation of the 13 steps agreed to at the Conference on how to achieve nuclear disarmament.

6. In November 2000, the work of the 2000 Review Conference was followed up at the fifty-fifth session of the United Nations General Assembly. The New Agenda, coordinated by Sweden, presented a draft resolution (A/C.1/55/L.4 and Rev.1, subsequently adopted as resolution 55/33C), which reaffirmed the results of the Conference. It received very strong support by Member States and was adopted on 20 November 2000 with only three countries voting against (India, Pakistan and Israel) and eight countries abstaining.

7. During the fifty-fifth session of the General Assembly, Sweden voted in favour of resolution 55/41, entitled "Comprehensive Nuclear-Test-Ban Treaty", which called for necessary measures to enable the Treaty to enter into force.

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8. During spring 2001, Sweden held the Presidency of the European Union and delivered a statement on behalf of the Union in the Conference on Disarmament calling, inter alia, for the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty and the commencement of work in the Conference on Disarmament.

9. Sweden strived to advance the European Union work in the spring session of the United Nations Disarmament Commission on the nuclear topic "Ways and means to achieve nuclear disarmament".

10. In October 2001, the New Agenda decided not to present a resolution in the First Committee of the fifty-sixth session of the General Assembly. The New Agenda Ministers for Foreign Affairs expressed their views in a Ministerial Communiqué presented on 8 October 2001 in the Committee by the coordinator of the Group, South Africa.[1] The Ministers agreed that the priority would be to pursue their initiative in the context of the forthcoming Non-Proliferation Treaty review process beginning in 2002. "The 2000 NPT undertakings on nuclear disarmament had been given. Implementation of them was now the imperative."

11. In November 2001, the Swedish Minister for Foreign Affairs, Ms. Anna Lindh, participated in the Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty. Ms. Lindh held a national statement in the plenary, which dealt with nuclear disarmament in general and with the Treaty in particular. In the margins of the conference, Sweden, together with Canada and Australia, financed a seminar, organized by the United Kingdom-based NGO VERTIC, to promote the verification system of the Comprehensive Nuclear-Test-Ban Treaty, the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO) in Vienna. Foreign Minister Lindh made an introductory statement, expressing strong support for CTBTO and its capacity to verify the Treaty.

12. Furthermore, Ms. Lindh also gave a speech in the General Assembly in November 2001.[2] A significant section of the Swedish speech was devoted to nuclear disarmament.

13. In November 2001, the Swedish Minister for Foreign Affairs, in a press statement, welcomed the announcements by the United States of America and the Russian Federation concerning planned reductions in their strategic nuclear weapons arsenals. She also expressed hope that the reductions would be irreversible, transparent and verifiable.

14. In December 2001, Foreign Minister Anna Lindh issued a press statement expressing concern about the potential negative consequences the unilateral withdrawal by the United States from the Anti-Ballistic Missile Treaty could have on nuclear disarmament and non-proliferation and urging the United States to continue its consultations, in particular with the Russian Federation and China respectively.

Preparations for the session of the Preparatory Committee in 2002

15. In autumn 2001, Sweden, through Ambassador Henrik Salander, Permanent Representative of Sweden to the Conference on Disarmament, was appointed Chair of the first session of the Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, to be held in New York in April 2002.

16. During winter and spring 2002, Sweden, through Ambassador Salander, prepared for the first session of the Preparatory Committee by consulting with all States parties to the Treaty.

17. Sweden also participated actively in the New Agenda's preparations for the Preparatory Committee session. A position paper was drafted stating fundamental principles of nuclear disarmament, taking stock of the developments since the 2000 Review Conference and making short-term and long-term suggestions for the way ahead. The New Agenda also prepared statements to be held in the general debate and in the cluster debate about nuclear disarmament and released a press statement preceding the opening of the Preparatory Committee session. The New Agenda will continue to be active in the period leading up to the opening meeting of the First Committee of the General Assembly at its fifty-seventh session.

18. In spring 2002, the European Union prepared a Statement to be delivered on behalf of the Union at the first session of the Preparatory Committee, during the general debate.

Conference on Disarmament

19. The Conference on Disarmament has not been able to agree on a programme of work and has thus remained idle in the period following the 2000 Review

Conference. Several decisions of the Conference included in the 13-step action plan have therefore not yet materialized: the commencement of negotiations on a fissile material cut-off treaty and consideration of the questions of nuclear disarmament in subsidiary bodies of the Conference on Disarmament.

20. In February 2002, the Swedish Minister for Foreign Affairs, Ms. Anna Lindh, spoke in the Conference on Disarmament. The speech covered the whole disarmament agenda: weapons of mass destruction as well as conventional weapons. A significant part of the speech was devoted to nuclear disarmament, emphasizing issues such as an early entry into force of the Comprehensive Nuclear-Test-Ban Treaty, universality of and compliance with the Non-Proliferation Treaty, the principle of irreversibility in nuclear reductions, etc. Ms. Lindh also called upon the Conference on Disarmament to agree on a programme of work and expressed Sweden's readiness to accept the Amorim proposal in order to start negotiations on a fissile material cut-off treaty as well as to start dealing with nuclear disarmament and the prevention of an arms race in outer space.

21. In February 2002, the European Union, under the Presidency of Spain, delivered a statement in the Conference on Disarmament calling for the commencement of work in the Conference.

Destruction of nuclear weapons

22. The primary responsibility for the destruction of nuclear weapons rests with the countries concerned, i.e. the nuclear-weapon States. Sweden believes, however, that international cooperation is essential. Thus Sweden has agreed, on invitation, to participate as an observer in the successor group to the G8 Plutonium Disposition Planning Group. The new group will be launched in the near future. Sweden agrees with the G8 Group that it is critical to ensure that excess weapons-grade plutonium resulting from arms reduction is managed and disposed of in such a way that it can no longer be available for future use or diversion for nuclear weapons.

23. Sweden has a great deal of expertise available in the fields of nuclear safety, safeguards and nuclear fuel and waste management. Thus Sweden has been able to provide cooperation and assistance to Russia and other countries members of the Commonwealth of Independent States in the field of nuclear non-proliferation, including: regulatory frameworks, material accounting and protection, export/import controls and management of spent nuclear fuel (e.g. from Russian submarines and ice-breakers). Most of this takes place in cooperation with other countries, the European Union and the International Atomic Energy Agency. Sweden also has taken an active part in conferences organized under the Non-Proliferation and Disarmament Cooperation Initiative and its predecessor the Expanded Threat Reduction Initiative.

24. Sweden has been contributing from the outset to the International Science and Technology Centre in Moscow and was one of the funding parties of the Science and Technology Centre in Ukraine. These two centres were set up to provide former Soviet weapon scientists with employment opportunities in the civilian sector.

Safeguards Agreement

25. Before Sweden became a member of the European Union in 1995, the safeguards agreement requirement by article III of the NPT was satisfied by the Safeguards Agreement between the International Atomic Energy Agency and Sweden.[3]

26. In the context of Sweden's accession to the European Union, notifications to the Agency by Sweden and by the European Atomic Energy Community, as required by the Safeguards Agreement between non-nuclear-weapon States of the European Union and the European Atomic Energy Community, and the Agency,[4] were received by the IAEA on 24 May 1995. For practical accounting purposes, as proposed in the notifications, the Agreement came into force with regard to Sweden on 1 June 1995.[5] On the same date, the previous Swedish Safeguards Agreement with the Agency was suspended.[6]

27. With regard to the Additional Protocol, Sweden, as a member of the European Union, has fulfilled its own requirements for entry into force. Additional Protocols for the EU member States will enter into force on the date when the Agency receives written notification from the EU States and Euratom that their respective requirements for entry into force have been met.

Illicit trafficking

28. In May 2001, Sweden hosted an International Conference on illicit trafficking of fissile material and

other radioactive sources and physical protection. The Conference, with participants from 70 countries, was organized by the International Atomic Energy Agency and the Swedish Nuclear Power Inspectorate.

Export control

29. As a supplier of nuclear commodities, Sweden participates in the Zangger Committee and the Nuclear Suppliers Group. The implementation of our obligation under article III, paragraph 2, of the Non-Proliferation Treaty is ensured by means of controlling exports from Sweden in accordance with EU Council regulation (EC) 1334/2000. In the view of Sweden, an effective domestic export control system also facilitates cooperation for peaceful purposes in the nuclear field.

Nuclear energy for peaceful purposes

30. Traditionally Sweden attaches great importance to the Agency's Technical Cooperation Programme. Over the years, Sweden has paid its full target share to the Technical Cooperation Fund, and Sweden also hosts a number of technical and scientific visits for students from developing countries.

Regional treaties

31. At the fifty-fifth and fifty-sixth sessions of the United Nations General Assembly, Sweden voted in favour of resolutions and decisions calling for regional nuclear-weapon-free zones. They are:

- Establishment of a nuclear-weapon-free zone in the region of the Middle East — resolutions 55/30 and 56/21;
- Establishment of a nuclear-weapon-free zone in Central Asia — resolution 55/33 W and decision 56/412;
- Nuclear-weapon-free southern hemisphere and adjacent areas — resolutions 55/33 I and 56/24 G;
- Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) — resolutions 55/39 and 56/30;
- African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba) — resolution 56/17.

Notes

[1] A/C.1/56/4, annex.

[2] See A/56/PV.50.

[3] Agreement of 14 April 1975 between the Government of the Kingdom of Sweden and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons (INFCIRC/234).

[4] Agreement between Belgium, Denmark, the Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, the European Atomic Energy Community and the Agency in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons (INFCIRC/193).

[5] INFCIRC/193/Add.5.

[6] INFCIRC/234/Mod.1.

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Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by Canada

Article I

Canada has recently called upon nuclear-weapon States not to provide assistance or encouragement to States who may seek to acquire nuclear weapons or other nuclear explosive devices.

Article II

Canada continues to abide by its NPT commitment not to receive the transfer of, receive control over, manufacture or acquire nuclear weapons or a nuclear explosive capability.

Article III

Pursuant to Article III, Canada has in place a safeguards agreement with IAEA for the application of safeguards in connection with NPT. The IAEA has provided annually a positive assessment of safeguards implementation in Canada pursuant to this agreement. In support of IAEA efforts to strengthen safeguards and recognizing the "symbiotic relationship" between NPT safeguards agreements and the model Additional Protocol to those agreements, Canada concluded a Protocol additional to its safeguards agreement. The Protocol entered into force on 8 September 2000. The Agency is currently reviewing Canada's initial declaration under the Protocol. Canada continues to urge States which have yet to bring into force comprehensive safeguards agreements to do so and continues to call upon States to bring into force protocols additional to their safeguards agreements. In that regard, in 2001, Canada participated actively in the International Symposium on the Further Reinforcement of IAEA Safeguards in the Asia Pacific Region in Tokyo, the IAEA Symposium on International Safeguards in Vienna and the Regional Seminar on the Protocol Additional to Nuclear Safeguards Agreements in Lima.

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Consonant with its obligation not to provide source or special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material to any non-nuclear-weapon for peaceful purposes unless the source or special fissionable material is subject to IAEA safeguards, and with Decision 2, Paragraph 12 of the 1995 NPT Review and Extension Conference, Canada requires, inter alia, that nuclear cooperation will only be authorized with those non-nuclear-weapon States which have made an internationally legally-binding commitment not to acquire nuclear weapons or other nuclear explosive devices and have accepted IAEA safeguards on the full scope of their nuclear activities. This policy has been in place since 1976. With a view to effectively implementing the requirements of paragraph 2 of this Article, Canada maintains a national system for controlling, inter alia, the export of source or special fissionable material and equipment or material especially prepared for the processing, use or production of special fissionable material. This system also reflects multilaterally agreed lists of nuclear items and nuclear-related dual-use items. All these measures serve to facilitate Canada's peaceful nuclear commerce and international cooperation.

Article IV

Canada continues to support strongly the peaceful uses of nuclear energy. In this regard, Canada maintains a robust nuclear power programme and uranium industry and is a world leader in the production of radioisotopes for medical and industrial applications. Canada has Nuclear Cooperation Agreements in force covering 37 countries, both developed and developing, to provide a framework for the fullest possible exchange of nuclear and other material, equipment and technology. At each Review Conference, Canada circulates information detailing its activities conducted pursuant to Article IV; this will also be done at the 2005 Review Conference.

Article V

The Final Document of the 2000 Review Conference affirms that provisions of this article are to be interpreted in the light of the Comprehensive Nuclear-Test-Ban Treaty (CTBT). Canada signed the CTBT on 24 September 1996 when it opened for signature and deposited its instrument of ratification 18 December 1998. Canada continues to encourage other States to ratify this Treaty, particularly the States listed in annex 2. In the months preceding the 11-13 November 2001 Entry into Force Conference of the CTBT, Canada's Foreign Minister wrote to his counterparts in the 13 States listed in annex 2 of the Treaty who had yet to ratify, urging their ratification. Canada actively participated in the Conference and participated in a related Seminar on the Verification of the CTBT organized by the NGO VERTIC. Canada continues to call on nuclear-weapon States that have not ratified the CTBT to continue their testing moratoria. Canada places a priority on the establishment of the Treaty's verification system and, as such, is a leader among Member States in contributing resources, equipment and expertise to the development of CTBT's international monitoring system (IMS).

Article VI

Canada's objective has been and remains the complete elimination of nuclear weapons. Canada expects the nuclear-weapon States to engage actively on this issue and to make further progress to reduce and to eliminate nuclear weapons. All members of the international community have a deep and abiding stake in this process. Both bilaterally and at the Conference on Disarmament (CD) Canada has welcomed the US-Russia reductions in strategic nuclear warheads announced in November 2001 and encouraged the two parties to codify these reductions in a legally binding, transparent, verifiable and irreversible fashion.

Canada believes that progress in reducing strategic nuclear weapons alone is not sufficient. At the fifty-sixth session of the United Nations General Assembly Canada noted the need to focus on tactical nuclear weapons as well.

Canada welcomes the reduced salience of nuclear weapons and the significant reduction of North Atlantic Treaty Organization (NATO) forces, both conventional and nuclear, that has taken place since the end of the Cold War. Canada, as a member of NATO, continues to advocate that the Alliance play a positive role in advancing disarmament objectives, through a continuous step-by-step approach.

Canada believes that every State Party to the NPT has an interest and a responsibility to encourage the fulfilment of Article VI.

During the fifty-sixth session of the United Nations General Assembly, Canada tabled a resolution calling for negotiations within the CD on a Fissile Materials Cut-off Treaty (FMCT); this resolution was adopted by consensus. Pending conclusion of an FMCT, Canada has urged nuclear-weapon States to affirm or reaffirm, as the case may be, their commitment to forever cease production of fissile material for nuclear weapons or other nuclear explosive devices. Addressing the CD in March 2002, Canada's Foreign Minister urged that body to take up the Amorim proposal (CD/1624) for a programme of work for the Conference on Disarmament which would include negotiation of an FMCT and dealing with the prevention of an arms race in outer space and with nuclear disarmament issues. Canada had promoted the adoption of this work programme as CD President during the period 22 January-18 February 2001.

Canada welcomed the bilateral agreement on plutonium disposition between the United States of America and the Russian Federation, signed in September 2000, in which each country undertakes to dispose of 34 metric tonnes of weapon-grade plutonium no longer required for defence purposes. This is a nuclear disarmament activity which, consonant with the obligations under this Article, will dispose of plutonium from thousands of nuclear weapons. In doing so, it will contribute significantly to international security. Canada. for its part, will continue to work with other States to implement this initiative.

In the interests of general and complete disarmament, Canada is also a State Party to the Comprehensive Nuclear-Test-Ban Treaty, the Biological and Toxin Weapons Convention, the Chemical Weapons Convention, the Ottawa Convention banning anti-personnel mines, the Treaty on Conventional Forces in Europe, Open Skies, the Treaty on Certain Conventional Weapons and the Treaty on Outer Space. Canada also participated actively in the United Nations Conference on Illicit Traffic in Small Arms and Light Weapons of July 2001. Canada has provided financial

support to mine clearance and related activities in over 25 States, to small arms and light weapons disarmament, demobilization and reintegration, collection and destruction in Latin America and the Caribbean, Europe, Africa and Asia, and for chemical weapons destruction in the Russian Federation.

Article VII

While not itself a member of a nuclear-weapon-free zone, Canada welcomes and encourages progress to develop and implement nuclear-weapon-free zone agreements consistent with international law and internationally-agreed criteria. At the fifty-sixth session of the United Nations General Assembly, Canada supported resolutions establishing or consolidating nuclear-weapon-free zones.

Article VIII

The NPT indefinite extension and accompanying decisions adopted in 1995 included a commitment to a Strengthened Treaty Review Process. In this regard, Canadian priorities for the NPT in both the short and the long term focus on enhancing the permanence and the accountability of the Treaty. In this spirit, Canada is hereby delivering its first report on implementation of all the articles of the NPT, and plans to deliver such reports annually. As no standard format has yet been agreed upon for such reports, Canada encourages States Parties to commence discussions with the aim of establishing one, which could become an outcome of the 2005 Review Conference.

Article IX

At the fifty-sixth session of the United Nations General Assembly Canada called for those few remaining States not yet party to the Treaty to accede to it as non-nuclear-weapon States Parties and has repeated this call on different occasions, particularly to the three States — India, Israel, Pakistan — that operate unsafeguarded nuclear facilities. Canada condemned the nuclear tests conducted by India and Pakistan in May 1998, and has since issued formal expressions of regret over the ballistic missile tests carried out by India in January 2001 and 2002. Canada regards Indian and Pakistani nuclear proliferation, and their claims to be nuclear-weapon States as new and significant threats to international peace and security. Canada therefore supports Security Council resolution 1172 (1998) and its requirement that India and Pakistan renounce their nuclear weapons programmes. Canada recalls and supports fully the May 2000 Review Conference Final Document declaration that the Indian and Pakistani nuclear tests "do not in any way confer a nuclear-weapon State status or any special status whatsoever". In an effort to diminish tensions in South Asia and hence reduce the risk of the use of nuclear weapons, Canada has supported several initiatives aimed at fostering confidence-building measures in the region.

The Final Document of the 2000 Review Conference noted with concern that IAEA continued to be unable to verify the correctness and completeness of the initial declaration of nuclear material made by the Democratic People's Republic of Korea (DPRK), and was therefore unable to conclude that there has been no

diversion of nuclear material in that country. For a number of years, Canada has been an initial co-sponsor of a resolution at the IAEA General Conference on the implementation of the IAEA-DPRK safeguards resolution. In 2001 this resolution, GC(45)/RES/16, inter alia, urged DPRK to comply fully with its safeguards agreement, including all steps the agency deems necessary to preserve all information relevant to verifying the correctness and completeness of the DPRK's initial declaration. Canada has also used opportunities presented by the establishment of diplomatic relations to encourage DPRK to cooperate fully with IAEA in order that DPRK come into full compliance with its Treaty safeguards. Since 1995, Canada has contributed to regional stability through its membership to the Korean Peninsula Energy Development Organisation (KEDO) and its total financial contribution of $6.8 million.

Canada's efforts to combat nuclear proliferation in the Middle East are discussed elsewhere in the national report pursuant to the Middle East resolution.

Article X

Canada welcomed the 1995 indefinite extension of this Treaty, adopted in 1995 by 175 countries without a vote. Negative security assurances provided in 1995 by the five nuclear-weapon States Parties to the NPT, in United Nations Security Council resolution 984 (1995), furnished part of the basis for this indefinite extension, as paragraph 8 of the "Principles and Objectives for Nuclear Non-Proliferation and Disarmament". Canada has underlined the need to preserve and respect the negative security assurances provided by nuclear-weapon States to non-nuclear-weapon States Parties to this Treaty.

Article XI: N/A

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Submission by the United States of America

The United States of America welcomes the opportunity to provide information on steps it has taken to promote the environment necessary to encourage nations to establish an effectively verifiable Middle East zone free of weapons of mass destruction and the realization of the goals and objectives of the 1995 NPT resolution on the Middle East. In order to promote the environment necessary for achieving an effectively verifiable Middle East zone free of nuclear and all other weapons of mass destruction and their delivery systems, the United States has focused on three objectives: (1) Supporting the Middle East peace process; (2) ensuring that States parties are in compliance with the Treaty on the Non-Proliferation of Nuclear Weapons (NPT); and (3) strengthening other international non-proliferation treaties and regimes.

1. *Support for the Middle East peace process.* Achievement of a comprehensive, just, and lasting peace in the Middle East remains a key United States foreign policy goal. The United States believes that attainment of this goal will in turn facilitate dialogue on the vast array of complex issues that surround the establishment of a regional zone free of all weapons of mass destruction. President Bush and Secretary Powell have articulated an American vision of an eventual Palestinian State alongside Israel, at peace with each other and within secure and recognized borders. This political settlement would be negotiated between Israel and the Palestinians. The United States vision for the region is reflected most recently in United Nations Security Council resolution 1397 (2002) of 12 March 2002, sponsored by the United States and reaffirmed by other world leaders including Saudi Arabia's Crown Prince Abdullah, and remains consistent with Security Council resolutions 242 (1967) and 338 (1973).

Furthermore, the United States welcomed the Arab League's endorsement of Saudi Arabia's vision of a negotiated settlement and full normalization with Israel. President Bush recently sent General Anthony Zinni (retired) to the region for his third trip, this time to put a ceasefire in place and help the parties begin implementation of the Tenet security work plan as first step towards full implementation of the Mitchell Committee recommendations and the resumption of a political process. That political process is also anchored to Security Council resolutions 242 (1967) and 338 (1973), and the principles of the 1991 Madrid peace

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conference. The President has made clear he is committed to working with United States partners in the region and around the world in pursuit of these goals. On 4 April, President Bush announced he was sending Secretary Powell to the Middle East for consultations with regional leaders.

2. *Ensuring that all countries comply with the NPT.* An array of nuclear non-proliferation challenges exist in the Middle East. At the 2000 NPT Review Conference, the United States expressed concern regarding non-compliance with the Treaty. There is little hope of, and even less utility in, establishing an agreement to create a zone free of weapons of mass destruction if we cannot ensure that nations implement and uphold agreements to which they are party. Non-compliance issues are our highest priority and need to be addressed directly since they affect the core substance of the NPT and continue to bear directly on the prospects of attaining a zone in the Middle East free of weapons of mass destruction. In fact, the entire effort surrounding arms control agreements is brought into question by unchallenged violations. Because it takes arms control seriously, the United States cannot ignore violations of the NPT, now or in the future. All NPT parties need to act with resolve in response to any such challenge to the Treaty.

The Iraqi nuclear weapon programme violated article II of the NPT. Its construction of secret facilities, including a facility for nuclear weapon development and assembly, contributed to its violation of article II. Iraq's failure to apply safeguards to the nuclear material used in its nuclear weapons programme also constituted a violation of article III of the NPT, which requires that safeguards be applied "with a view to preventing diversion of nuclear energy from peaceful purposes to nuclear weapons of other nuclear explosive devices". Security Council resolution 707 (1991), of 15 August 1991, concluded that Iraq's non-compliance with its obligations under its safeguards agreement constitutes a violation of its commitments as a party to the NPT. Subsequent Security Council resolutions have reaffirmed this resolution.

In his January 2002 State of the Union address, President Bush stated: "The Iraqi regime has plotted to develop anthrax, and nerve gas, and nuclear weapons for over a decade. This is a regime that has used poison gas to murder thousands of its own citizens — leaving the bodies of mothers huddled over their dead children. This is a regime that agreed to international inspections — then kicked out the inspectors. This is a regime that has something to hide from the civilized world."

In his October 2002 letter to the President of the United Nations Security Council, IAEA Director General ElBaradei stated that, lacking inspectors in Iraq, the Agency "... is not able at present to provide any assurance that Iraq is in compliance with its obligations under these [Security Council] resolutions. Clearly, the longer the suspension of resolution-related inspections lasts, the more difficult it will be and the more time will be required for the Agency to re-establish a level of knowledge comparable to that achieved at the end of 1998."

The United States will continue to press its concerns about Iraq and will work to facilitate an atmosphere of security and stability in the region. In pursuing these objectives, the United States has and will continue to work with the Security Council to:

- Adopt a new Goods Review List (GRL) and associated implementation procedures that will focus sanctions on items of military use that would contribute most to Iraq's efforts to rearm; and
- Work for full, unconditional and immediate Iraqi compliance with all applicable Security Council resolutions, including active cooperation with United Nations-mandated weapons inspection and monitoring teams.

The United States is also concerned about other NPT parties in the Middle East region whose ostensible commitments to the NPT are belied by their covert programmes to acquire a nuclear weapon capability. We urge all NPT parties to avoid nuclear cooperation with these countries and underscore the absolute importance of abiding by their Treaty obligations.

Other United States actions to promote compliance with the NPT in the Middle East and elsewhere include supporting the strengthening of IAEA safeguards, the negotiation and entry into force of Additional Safeguards Protocols, and the adoption of NPT safeguards agreements. Most NPT States parties in the Middle East have brought into force the required full-scope safeguards agreement with IAEA, and one State party has brought into force an Additional Protocol. However, several countries in the region have still not concluded the safeguards agreements with IAEA required by the NPT, and it is essential that each do so as soon as possible.

3. *Other efforts to strengthen non-proliferation treaties and regimes.* The United States continues to encourage the creation of a regional environment that allows for broader acceptance by all Middle East States of multilateral non-proliferation and disarmament norms and international standards, including:

- promoting universal adherence to the NPT;
- encouraging entry into force of IAEA full-scope safeguards agreements and adoption of IAEA Additional Protocols;
- promoting adherence to Missile Technology Control Regime (MTCR) and Australia Group guidelines;
- promoting adherence to the Chemical Weapons Convention;
- promoting adherence to the Biological Weapons Convention (BWC) and support for effective BWC implementation procedures; and
- promoting support for a verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices.

In addition, the United States continues to urge supplier States, both bilaterally and in international forums, to refrain from exporting any weapons of mass destruction, missiles or related materials, equipment and technologies, as well as destabilizing advanced conventional weapons to countries in the Middle East, including those that support terrorism.

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Corrigendum

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12 April 2002

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Implementation of article VI and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament"

Report submitted by Germany

Germany is convinced that accountability is — together with transparency, irreversibility and confidence-building — one of the fundamental principles that constitute an indispensable framework within which to further the implementation of article VI. In our view, accountability promotes nuclear disarmament and strengthens the Treaty as a whole, as outlined during the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2000/MC.I/WP.8).

Germany therefore welcomes the agreement in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons on regular reporting by all State parties on the implementation of article VI and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament" and is convinced that effective reporting of States parties on their contributions to the implementation of article VI and paragraph 4 (c) enhances transparency and confidence in the Treaty as a whole. Pending the desirable establishment of an agreed format for the implementation of this reporting obligation, Germany reports the following:

1. Germany attaches the utmost importance to achieving an early entry into force of the Comprehensive Nuclear-Test-Ban Treaty and therefore calls upon her bilateral contacts together with partners in the European Union for further signatures and ratifications, especially those on the list of 44 States whose ratification is needed for the entry into force of the Comprehensive Nuclear-Test-Ban Treaty. Germany signed the Comprehensive Nuclear-Test-Ban Treaty on 24 September 1996, ratified on 20 August 1998, and is actively participating in the International Monitoring System with two seismological monitoring stations (one each in the primary and the auxiliary network), two infrasound monitoring stations and one radionuclide monitoring station as well as with expertise in the field of hydro-acoustics. The Federal Institute for Geosciences and Natural Resources has been given the task of a national data centre.

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2. The immediate start and early conclusion of negotiations on a fissile material cut-off treaty in the Conference on Disarmament in Geneva are, in our view, the next essential multilateral step towards strengthening nuclear non-proliferation as well as nuclear disarmament. As a practical measure to further discussion on substance, in March 2001, Germany organized a seminar on verification aspects of the fissile material cut-off treaty in Geneva.

3. Germany attaches high importance to the Conference on Disarmament as the sole multilateral negotiation forum for disarmament affairs. Germany, together with other partners, has actively contributed various proposals with respect to overcoming the ongoing stalemate in Geneva, which in our view is no longer tolerable.

4. Germany took note of the Decision of the United States of America to withdraw from the Treaty on the Limitation of Anti-Ballistic Missile Systems and welcomes the ongoing negotiations between the United States and the Russian Federation on the creation of a new strategic framework as well as on drastic reductions of their strategic arsenals. Germany has been urging both parties that these measures should further promote international stability and that any disarmament measures agreed should be legally binding with provisions ensuring irreversibility and verifiability.

5. Germany welcomes the fact that, for the first time in the Treaty on the Non-Proliferation of Nuclear Weapons process, the issue of non-strategic nuclear weapons, which is of high importance to European security, was included in a Final Document. During this session of the Preparatory Committee Germany has forwarded further consideration on the issue.

6. Germany welcomes the reduced salience of nuclear weapons and the significant reduction of armed forces, both conventional and nuclear, in Europe since the end of the cold war. Germany recognizes that nuclear disarmament is not an end in itself and cannot be pursued in isolation. Article VI embeds nuclear disarmament in the broader context of general and complete disarmament under strict and effective control. Nuclear disarmament must increase the risk neither of conventional wars nor of the revaluation of other weapons of mass destruction. Germany therefore welcomes the fact that State parties reaffirmed at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, as a practical step towards implementing article VI and paragraph 4 (c) of the 1995 Decision on "Principles and Objective for Nuclear Non-Proliferation and Disarmament", that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under effective international control. Germany is committed to this goal and undertakes focused efforts towards this end.

7. Already on 3 October 1954, Germany had renounced all weapons of mass destruction. Germany became State party to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction on 29 April 1997 and to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (BTWC) on 7 April 1983. Germany calls upon bilateral contacts, together with partners in the European Union, for universal adherence to these Conventions. Germany has been actively participating in the Organization for the Prohibition of Chemical Weapons and actively supports ongoing efforts to strengthen the verification capabilities of the BTWC.

8. Germany considers disarmament cooperation an essential contribution to ensuring irreversibility of disarmament measures. Germany therefore assists the Russian Federation in the destruction of chemical weapons and provides nuclear disarmament cooperation to Ukraine and the Russian Federation.

9. Germany is committed to the faithful implementation and strengthening of the mutually reinforcing arms control regimes in Europe. We are also undertaking focused efforts through seminars and an intensive arms control dialogue with third countries to foster regional arms control approaches in other regions of the world. We are furthermore strongly committed to the global efforts to establish and strengthen norms pertaining to conventional weapons, small arms and light weapons and anti-personnel landmines.

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Implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraph 4 (c) of the 1995 Decision on "Principles and objectives for nuclear non-proliferation and disarmament"

Report submitted by Japan

In accordance with subparagraph 12 of paragraph 15 in the Chapter on Article VI of the Final Document of the 2000 NPT Review Conference, the Government of Japan reports on the measures it has taken to implement Article VI of the NPT and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament."

1. Submission of Resolutions on Nuclear Disarmament to UN General Assembly

Every year since 1994, Japan has submitted to the UN General Assembly a draft resolution on nuclear disarmament, which has been adopted every year with the overwhelming support of the international community. In 2000 and 2001, Japan submitted a resolution entitled "A Path to the Total Elimination of Nuclear Weapons" which reflected the thirteen practical disarmament steps agreed in the Final Document of the 2000 Review Conference, toward the realization of a world free of nuclear weapons.

2. Contribution toward the successful start of the 2005 NPT Review Process

In late February of this year, Japan convened an international workshop in Tokyo entitled "Perspective of the NPT in the 21st Century: towards the 2005 NPT Review Conference," offering an opportunity for governmental and non-governmental experts on nuclear issues to have a "tune-up" discussion on nuclear disarmament and non-proliferation to facilitate the work of the Preparatory Committee of the NPT Review Conference.

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3. Diplomatic efforts to facilitate the entry into force of the CTBT

Japan emphasizes the importance of the early entry into force of the CTBT which, together with the IAEA safeguards, constitutes one of the major pillars of the NPT regime. From this position, Japan has made various diplomatic efforts, including the following:

- The then Foreign Minister Komura chaired the First Conference on Facilitating the Entry into Force of the CTBT held in Vienna in October 1999;
- Since the First Conference, Japan, as a coordinator, has contributed to practical preparations for the Second Conference;
- Successive Prime Ministers and Foreign Ministers have sent their messages repeatedly to request those countries that have not yet signed or ratified the Treaty to do so;
- Japan has dispatched high-level governmental missions to dozens of countries including Algeria, Bangladesh, Colombia, Egypt, India, Indonesia, Pakistan, the Russian Federation, the United States, and Vietnam for the purpose of encouraging their signature and ratification;
- Japan has also encouraged ratification by, for example, providing technical assistance in the field of earthquake monitoring technology for the establishment of the International Monitoring System.

4. Activities in preparation for the commencement of the FMCT negotiations

In May 2001, Japan and Australia co-hosted a workshop on FMCT in Geneva for the purpose of maintaining political momentum to commence the FMCT negotiations, and engaging the participants in substantive discussions on the FMCT.

5. Cooperation with the NIS (Newly Independent States) for nuclear disarmament

The international community must make every effort to ensure safety in the processing and disposal of nuclear and other weapons of mass destruction in the former Soviet Union States although the primary responsibility for dismantling these weapons lies with those countries that possess them. Japan is committed to joining such international efforts. For this purpose, in April 1993 Japan contributed $100 million of grant aid, and in June 1999 committed itself to providing assistance for additional projects taking the total value to $200 million.

Of the total amount, about $172 million has been allocated for Russia, and the rest for Belarus, Kazakhstan, and Ukraine. The main areas of assistance to Russia are: (1) dismantling of decommissioned nuclear submarines in the Far East; (2) construction of a new floating facility to dispose of low-level liquid radioactive waste derived from the destruction and dismantling of Russian nuclear submarines; (3) disposition of surplus plutonium no longer required for military purposes; and (4) support for the International Science and Technology Center (ISTC).

6. Receiving participants in the UN Disarmament Fellowship Program

Since 1982, Japan has invited more than 400 U.N. disarmament fellows to Japan including visits to Hiroshima and Nagasaki, providing these young officials, who will be

responsible for future disarmament diplomacy, with an opportunity to witness the horrendous and long-lasting consequences that atomic bombs wreaked. Japan will continue to contribute to this program as it has done so far.

7. "Hiroshima-Nagasaki Atomic bomb exhibition"

Japan believes that the international community should be well informed of the destructive effects of nuclear weapons. In accordance with the wish of the people of Japan that such weapons will never again be used, the Government of Japan has supported on a number of occasions the efforts of local governments and NGOs to organize exhibitions relating to atomic bombs in foreign countries.

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Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Statement made by Myanmar on behalf of the countries of the Association of South-East Asian Nations on the Treaty on the South-East Asia Nuclear-Weapon-Free Zone (Treaty of Bangkok)

1. At the outset, I should like to extend the warmest congratulations of the Member States of the Association of South-East Asian Nations (ASEAN) to you on your unanimous election as Chairman of the first session of the Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. We pledge our fullest cooperation in the advancement of the work of the Preparatory Committee at its first session.

2. It is the conviction of the ASEAN Member States that the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States in the regions concerned and nuclear-weapon-free countries in various parts of the world constitutes an effective measure for limiting the geographic proliferation of nuclear weapons, enhances regional peace and security, and contributes to nuclear non-proliferation and nuclear disarmament.

3. We believe that the establishment of the South-East Asia nuclear-weapon-free zone, as an essential component of the zone of peace, freedom and neutrality, will contribute towards strengthening the security of States within the zone and towards enhancing international peace and security as a whole.

4. Recalling the Decision on "Principles and objectives for nuclear non-proliferation and disarmament", adopted at the 1995 Review and Extension Conference of the Parties to the Non-Proliferation Treaty, we stress that the cooperation of all the nuclear-weapon States and their respect and support for the relevant Protocols is important for the maximum effectiveness of this nuclear-weapon-free-zone Treaty and its relevant Protocols.

5. In that respect, the ASEAN Member States have taken a major step by establishing the South-East Asia nuclear-weapon-free zone through the conclusion of the Treaty of Bangkok on 15 December 1995. The Treaty has entered into force with effect from 27 March 1997.

6. However, the Protocol to the Treaty is yet to be accepted and ratified by the nuclear-weapon States.

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7. ASEAN Foreign Ministers in July 2001 welcomed the progress in the implementation of the Treaty of Bangkok and stressed the importance of direct consultation between ASEAN and the five nuclear-weapon States and considered this a significant mark of progress towards encouraging the accession of the nuclear-weapon States to the Protocol to the Treaty of Bangkok. In that connection, we welcome the first direct consultation between ASEAN and the nuclear-weapon States in Hanoi on 19 May 2001 and have reaffirmed our support for this process and call for continued consultations with the nuclear-weapon States.

8. We reaffirm our vision and conviction that the entry into force of the Treaty of Bangkok and, eventually, of its Protocol will make a significant contribution to the enhancement of regional and global peace and security, to the strengthening of the non-proliferation regime and the advancement of nuclear disarmament, and to the achievement of the ultimate objective of creating a nuclear-weapon-free world.

9. We express our desire to see the Protocol to the Treaty of Bangkok accepted and ratified by the nuclear-weapon States and its entry into force at the earliest possible date. To that end, we urge the nuclear-weapon States to show firm resolve and maximum flexibility and to work together with us in a spirit of amity and cooperation with a view to finding solutions to the remaining issues in the shortest possible time.

10. Finally, I wish to request that this statement be circulated as an official document of the Preparatory Committee.

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Statement made by Spain on 8 April 2002 or behalf of the European Union*

1. The recent events have proved to the world, if need be, that international security is indivisible. No State on its own can keep its territory or people safe from the scourge of terrorists, terrorist groups or the menace of their access to weapons of mass destruction. The security and the stability of the international community are being challenged, both globally and regionally, by the risks brought about by the proliferation of weapons of mass destruction and their means of delivery. The terrorist attacks of 11 September have given an even greater sense of urgency to the common efforts required from all States in this regard, and have forced the international community to review the existing international and national regimes and measures to deal with the security of nuclear installations, nuclear material and other radioactive material. On 21 September 2001, the Extraordinary European Council adopted conclusions and a plan of action to give the necessary impetus to the actions of the European Union (EU) to combat terrorism. The EU Foreign Ministers further adopted on 10 December 2001 conclusions on implications of the terrorist threat for the EU non-proliferation, disarmament and arms control policy. In that regard, the EU will soon adopt a list of concrete measures in the fields of multilateral instruments, export control, international cooperation and political dialogue.

2. The EU wishes to underline its commitment to General Assembly resolution 56/24 T, of 29 November 2001, in which we reaffirmed multilateralism as a core principle in the area of disarmament and non-proliferation with a view to maintaining and strengthening universal norms and enlarging their scope.

3. The EU appreciates that the International Atomic Energy Agency (IAEA) had already started to review its activities to counter nuclear terrorist threats well before 11 September. Also as a result of the terrorist attacks in the United States of America, IAEA has reoriented and reinforced its activities relevant to protection against nuclear terrorism. The EU welcomes the decision taken by the IAEA Board of Governors, which paved the way for much greater international cooperation in this field, within the framework of the IAEA Statute.

4. The EU has repeatedly stated that the Treaty on the Non-Proliferation of Nuclear Weapons is and will continue to be the cornerstone of the global non-proliferation regime and the essential foundation for the pursuit of nuclear disarmament. We support wholeheartedly and promote the implementation of the objectives laid down in the Treaty and we are committed to the effective implementation of the

* The statement was also made on behalf of the Central and Eastern European countries associated with the European Union (Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, Slovenia) as well as the associated countries (Cyprus, Malta and Turkey). The European Free Trade Association countries members of the European Economic Area (Iceland, Liechtenstein and Norway) also align themselves with this statement.

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decisions and the Resolution of the 1995 Review and Extension Conference and the Final Document, adopted by consensus, by the 2000 Review Conference.

5. In spite of a difficult international environment, the 2000 Review Conference was crowned with success and a Final Document was adopted by consensus. This very important document, which builds on the decisions and Resolution of the 1995 Review and Extension Conference and shows our collective undertaking to pursue negotiations in good faith, contains clear provisions on the way forward in the areas of nuclear non-proliferation, disarmament and the peaceful uses of nuclear energy.

6. The 2000 Final Document also spells out an improved and strengthened review process for the Non-Proliferation Treaty. Now, at the beginning of the preparatory process for the 2005 Review Conference, we are expected to consider principles, objectives and ways in order to promote the full implementation of the Treaty, as well as its universality. The States parties to the Treaty agreed in the 2000 Final Document that, to that end, the Preparatory Committee at its first and second sessions should consider specific matters of substance related to the implementation of the Treaty, the 1995 decisions and the Resolution on the Middle East, and the outcomes of subsequent Review Conferences, including developments affecting the operation and purpose of the Treaty. The EU stresses the importance of addressing these substantive and procedural issues in a structured and balanced way.

7. As the first Preparatory Committee session in a series of sessions leading up to the next Review Conference in 2005, it is important that the Committee lays a solid initial foundation to the review process. We must take stock of what has been achieved in all these areas during past years, including the implementation of the undertakings of the States parties under the Treaty. In this respect the European Union considers it relevant to present at the current stage some considerations on a few issues relating to the implementation of the Non-Proliferation Treaty.

8. Only four States, disregarding repeated pleas of the international community, remain outside the Treaty. The EU continues to attach special importance to achieving universal adherence to the Non-Proliferation Treaty in order to reinforce the global non-proliferation and disarmament objectives, which are at the core of the Union's policy. We urge Cuba, India, Israel and Pakistan to accede unconditionally to the Non-Proliferation Treaty as non-nuclear-weapon States. While welcoming the signature by Cuba of an additional Protocol with IAEA, we call upon the four States to place their facilities under all safeguards agreements.

9. The EU remains deeply concerned by the situation in South Asia. We continue to call upon India and Pakistan to meet all requirements set out in Security Council resolution 1172 (1998). The EU notes that both countries have declared moratoria on nuclear testing and their willingness to participate in the negotiation of a treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices. We call upon them to take actively all necessary measures towards fulfilling their stated intention.

10. The EU remains committed to the resolutions on the Middle East adopted by the Security Council and the 1995 Review and Extension Conference and to their full implementation. The establishment of an effectively verifiable Middle East zone free of nuclear weapons, as well as of other weapons of mass destruction, has been a long-cherished goal for the international community. The EU calls upon all States in the region that have not yet done so to accede to the Chemical Weapons Convention and the Biological Weapons Convention as soon as possible. We reaffirm the importance of Israel's accession to the Non-Proliferation Treaty and the placement of all its nuclear facilities under comprehensive IAEA safeguards. The EU invites the nine States parties in the region which have not yet concluded comprehensive safeguards agreements with IAEA to negotiate such agreements and bring them into force as soon as possible.

11. Compliance with the Non-Proliferation Treaty will always stand as a main priority for the EU. Due to Iraq's refusal to comply with its obligations, IAEA has been unable to provide any assurance pursuant to the mandate entrusted to it by Security Council resolutions for more than three years. The EU deplores this situation and calls for the full implementation of relevant Security Council resolutions, including resolution 1284 (1999). It calls for the re-establishment of an effective disarmament/ongoing monitoring and verification regime in Iraq and hopes that the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and IAEA will be able to resume their work in Iraq as soon as possible.

12. The lack of full implementation of safeguards by the Democratic People's Republic of Korea (DPRK) remains a subject of serious concern for the European Union. Despite its efforts, IAEA has been denied the possibility to fully verify the correctness and completeness of the initial declaration of nuclear material made by the DPRK. We urge the DPRK to cooperate with the Agency and to implement fully its IAEA Safeguards Agreement. These obstacles, and the delays caused by them, are an impediment to the punctual implementation of the KEDO project, to which the EU is making a substantial contribution, both technically and financially. The full and timely implementation of the KEDO Agreement is a cornerstone for regional stability and security.

13. The Non-Proliferation Treaty cannot be understood without article VI and its implementation. Disarmament and non-proliferation are mutually reinforcing. The EU will continue to encourage systematic and progressive efforts to implement article VI of the Non-Proliferation Treaty and paragraphs 3 and 4 (c) of the 1995 decision on "Principles and objectives for nuclear non-proliferation and disarmament", as well as the practical steps agreed in the 2000 Final Document to this end. The EU remains fully committed to the implementation of the Final Document and calls upon all States parties to do so as well.

14. The Comprehensive Nuclear-Test-Ban Treaty counts 165 signatories and 90 ratifications, including all the countries who have subscribed to the present statement, but still the Treaty has not entered into force. While regretting this situation, we call upon all States, especially the three non-signatories and the 10 non-ratifying States whose ratification is required for the Treaty to enter into force, to do so unconditionally and without further delay. Pending the entry into force, we urge all States with nuclear capabilities to abide by a moratorium and refrain from any actions which are contrary to the obligations and provisions of the Treaty. We are actively involved in promoting universal adherence to the Treaty, and we will continue our efforts until the mechanisms established by the Treaty become fully operational.

15. The European Union strongly regrets that the Conference on Disarmament has not been able to unblock negotiations on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. We consider that, together with the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty, the immediate commencement of the negotiations on a fissile-material cut-off treaty constitutes the next essential multilateral step in nuclear disarmament and nuclear non-proliferation. Consequently, pending the entry into force of a cut-off treaty, the EU urges all States which have not yet done so to declare a moratorium on the production of fissile material for nuclear weapons or other nuclear explosive devices.

16. The international comprehensive safeguards system of IAEA is the fundamental pillar of the global nuclear non-proliferation regime. Its application helps to demonstrate that States are complying with article III of the Treaty. It is therefore essential that all States that have not yet done so conclude safeguards agreements with IAEA, including the Additional Protocols. The EU is also committed to the strengthening of the safeguards system, in order to address successfully the proliferation challenges that lie ahead. The EU strongly supports the decision to adopt a Model Protocol additional to existing Safeguards Agreements. The measures contained in it, once implemented, will lead to a substantial and necessary strengthening of the effectiveness of the IAEA safeguards system. To date, 61 States have concluded Additional Protocols and 24 Protocols are in force. All EU member States have signed Additional Protocols and have either ratified them or are in the process of ratifying. The EU urges all States that have not yet signed and ratified the Additional Protocol to do so without delay.

17. We welcome the ongoing bilateral negotiations between the Russian Federation and the United States of America on strategic nuclear arms reduction. These negotiations constitute a very important step and any disarmament measures agreed should be swiftly embodied in a legally binding instrument with provisions ensuring irreversibility, verification and transparency.

18. For the first time in the non-proliferation process, the issue of non-strategic nuclear weapons was included in a Final Document. We deem it an integral part of the nuclear arms reduction and disarmament process and look forward to the fulfilment of the commitments undertaken by the relevant States during the 2000 Review Conference. We encourage them

swiftly to start negotiations on an effectively verifiable agreement on drastic reductions of these weapons.

19. The EU is convinced that the application of the principle of irreversibility to nuclear disarmament, nuclear and other related arms control and reduction measures contributes to the maintenance and reinforcement of international peace, security and stability.

20. Furthermore, the EU fully endorses the call in the 2000 Final Document for increased transparency by the nuclear-weapon States with regard to nuclear-weapon capabilities and the implementation of agreements pursuant to article VI and, as a voluntary confidence-building measure, to support further progress in disarmament. Regular reporting, in the framework of the strengthened review process, by all States parties will further promote international stability.

21. The EU takes note of the decision by the United States to withdraw from the Anti-Ballistic Missile Treaty and welcomes the ensuing bilateral negotiations with the Russian Federation to create a new strategic framework. We also expect that the above-mentioned negotiations will further promote international stability.

22. The EU recognizes the continuing value for the non-proliferation regime of the existing security assurances as provided through the nuclear-weapon-free-zone protocols and unilateral declarations of the nuclear-weapon States, as noted by the Security Council in resolution 984 (1995) and reaffirmed at the 2000 Review Conference, as confidence-building measures towards non-nuclear-weapon States on the use or threat of use of nuclear weapons.

23. The EU acknowledges the importance of nuclear-weapon-free zones, established on the basis of arrangements freely arrived at among the States of the region concerned. They enhance global and regional peace and security. We welcome and also support the signature and ratification by the nuclear-weapon States of the relevant nuclear-weapon-free-zone Protocols. We look forward to the entry into force of the African Nuclear-Weapon-Free-Zone Treaty at an early date.

24. The EU supports the inalienable right of all parties to the Treaty to develop the research, production and use of nuclear energy, without discrimination and in complete conformity with articles I and II of the Treaty.

25. The above reflects the ideas of the European Union on some substantive issues which will have to be considered under the new arrangement for an improved and strengthened review process. As we are about to engage in a new review cycle, the European Union wishes also to bring forward a number of considerations guiding it during the preparatory process.

26. First, it is important to note the unprecedented nature of this improved review process. According to the 2000 Final Document, the outcome of the first two sessions of the Preparatory Committee will be factually summarized. Therefore, we are not compelled to reach agreement on a negotiated document. We cannot overlook the fact that a Chair's Summary will have to be reported to the next session for further discussion. We are not to shape in haste recommendations to the Review Conference before possible options have been adequately considered. Nevertheless, this is a process and we should facilitate, Mr. Chairman, your task and those of your successors, by approaching our work in a constructive manner and by laying the foundations for possible compromises in the last session of the Preparatory Committee before the 2005 Review Conference.

27. Secondly, we welcome the flexibility in the overall role and structure of the enhanced review process, allowing the Preparatory Committee to organize its sessions as it deems it best and allocate time to address specific relevant issues when needed. While addressing substantive issues, one should not forget one of the more traditional tasks of the Preparatory Committee: the procedural preparations for the 2005 Review Conference.

28. Thirdly, our preparatory work should be a balanced exercise, paying due consideration to all aspects of the implementation of the Treaty: nuclear non-proliferation and disarmament and peaceful uses of nuclear energy.

29. The European Union hopes that this session of the Preparatory Committee will make a positive start with work under the improved and strengthened review process of the Non-Proliferation Treaty. To that end the Preparatory Committee should not devote too much time to its own procedural matters, and its decision-making should continue to be based on consensus.

30. The 1995 decision to extend the Non-Proliferation Treaty indefinitely confirmed the Treaty as the most important international framework for nuclear non-proliferation and nuclear disarmament. The 2000 Review Conference established clear guidelines for the achievement of the objectives of the Treaty. The European Union is fully committed to the improved review process, and stands ready to contribute to making it a valuable new instrument in the fight against the continued danger of the spread of nuclear weapons. We also reiterate to you, Mr. Chairman, the support of the EU for the achievement of the very noble objectives we have all set for ourselves in the Non-Proliferation Treaty and its review process.

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Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

17 April 2002
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Statement made by Spain on 15 April 2002 on behalf of the European Union

1. The attacks of 11 September 2001 have proved to the world, if need be, that international security is indivisible. No State on its own can keep its territory or people safe from the scourge of terrorists, terrorist groups or the menace of their access to weapons of mass destruction.

2. On 21 September 2001, the European Council declared that terrorism was a real challenge to the world and to Europe and that the fight against terrorism would be a priority objective of the European Union.

3. The security and the stability of the international community are being challenged, both globally and regionally, by the risks brought about by the proliferation of weapons of mass destruction and their means of delivery.

4. In order to contribute to the fight against terrorism, on 10 December 2001, the Foreign Ministers of the European Union (EU) launched a targeted initiative to respond effectively in the field of non-proliferation, disarmament and arms control to the international threat of terrorism, and they identified four areas of action to this end.

5. These areas are:

- A review and strengthening of relevant multilateral instruments in the field of non-proliferation, disarmament and export control, including the Treaty on the Non-Proliferation of Nuclear Weapons, in order to promote their universalization and their effective implementation
- Full implementation of export controls
- International cooperation in the field of protection and assistance against the use or threat of chemical and biological weapons
- Enhanced political dialogue with third countries in the field of non-proliferation, disarmament and arms control

6. As announced in the EU statement during the general debate, the Council of the European Union adopted today a list of concrete measures in each of these four areas. The list is contained in the annex to the present statement.

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7. Among these measures are the promotion of the full implementation of the Non-Proliferation Treaty and of the Final Documents of the 2000 and 1995 Review Conferences as well as an assessment of the appropriate ways of improving the existent export control mechanisms, including the Zangger Committee.

8. With the adoption and implementation of these measures the European Union believes it will make a necessary contribution to the worldwide fight against terrorism and towards the elimination of a dangerous threat to international peace and security.

Annex

Council conclusions on a list of concrete measures with regard to the implications of the terrorist threat for the non-proliferation, disarmament and arms control policy of the European Union

[Original: English]

At its extraordinary meeting on 21 September 2001, the European Council declared that terrorism is a real challenge to the world and to Europe and that the fight against terrorism will be a priority objective of the European Union.

In pursuing this priority objective, on 10 December 2001 the foreign ministers of the European Union launched a targeted initiative to respond effectively in the field of non-proliferation, disarmament and arms control to the international threat of terrorism, which focuses on multilateral instruments, export controls, international co-operation and political dialogue.

In implementing this targeted initiative the Council today adopts the following list of concrete measures:

CHAPTER I - Multilateral instruments

A. Support all activities related to the universalisation of existing multilateral instruments (i.a. CWC, BWC, Geneva Protocol, NPT, CTBT, CCW and Ottawa Convention)

The EU as such and its Member States will:

1. Promote, at a political level, universal adherence to instruments relating to weapons of mass destruction (BWC, CWC, Geneva Protocol, NPT, CTBT, Safeguards Agreements and Additional Protocols with the IAEA, CPPNM);

2. Lobby for the withdrawal of all relevant reservations on the Geneva Protocol;

3. Act at a political level in view of reaching a wider adherence and effective implementation of other relevant instruments in the field of conventional weapons.

B. Work for the effective implementation of the international instruments as well as political commitments world-wide

The EU as such and its Member States will promote:

1. Compliance with obligations and commitments under the international instruments as agreed by the States Parties, including - where the international instruments provide for- the destruction of prohibited weapons, the prevention of their diversion and illegal use, as well as the prevention of diversion of their technologies;

2. Enactment and strict application of national implementation legislation as required by the international instruments;

3. Full implementation of the Non-Proliferation Treaty and of the Final Documents of the 2000 and 1995 Review Conferences to the Non-Proliferation Treaty;

4. Enactment of the provisions of the Convention of the Physical Protection of Nuclear Material (CPPNM) and encourage those concerned states to take into consideration relevant IAEA recommendations and to request, when appropriate, an IPPAS mission;

5. Timely, consistent and full implementation of reporting obligations imposed either by the international instruments or by the final reports of review conferences (Chemical Weapons Convention declarations, BWC-CBMs, reports on the Amended II Protocol to the CCW, Article 7 reports regarding the Ottawa Convention) and the creation of necessary conditions for processing the resulting information (e.g. translate and process information coming from BWC-CBMs in usable databases);

6. Implementation of confidence building measures like, inter alia, submission of national reports to the UN register on conventional weapons and expansion of the register;

7. Implementation of the United Nations' programme of action on the fight against the illicit trade in small arms and light weapons and of the OSCE document on SALW.

C. Support the work of the international organisations (e.g. OPCW, CTBTO, IAEA) in their endeavour, in particular by:

1. Reviewing the financial resources required by the international organisations in order to provide sufficient funding to enable them to discharge their monitoring activities, including those undertaken in the light of the new threats post September 11, and ensuring that the funds provided are used in the most effective way;

2. Sustaining and expanding the OPCW capabilities to conduct effective inspections especially challenge inspections and investigations into alleged use. More realistic and frequent training exercises, especially practice inspections, provide an ideal mechanism to maintain and enhance such capabilities;

3. Supporting the statutory activities of the IAEA and strengthening its work to assist Member States to deal with the following:
   - physical protection of nuclear material and installations;
   - safe and secure management of radioactive sources including the implementation of the code of conduct on the safety and security of radioactive sources;
   - illicit trafficking in nuclear and radioactive material.

D. Reinforce, where needed, the multilateral instruments, in particular by:

1. Working actively to fill identified gaps in the current pattern of multilateral instruments in the field of disarmament, arms control and non-proliferation;

2. Review and, if needed, strengthen national implementation measures of multilateral instruments in the field of disarmament, arms control and non-proliferation;

3. Continuing efforts to promote the universalisation of the draft International Code of Conduct against ballistic missile proliferation with a view to its adoption before the end of 2002;

4. Continuing the efforts to promote the strengthening of the IAEA safeguards system through the signature and ratification of the Additional Protocols;

5. Speeding up completion by EU Member States of the necessary formalities to bring the IAEA Additional Protocols into force for the EU;

6. Making a special effort to overcome the stalemate in the Conference on Disarmament and promote the commencement of negotiations of a Fissile Material Cut-off Treaty;

7. Drafting of an international instrument on marking and tracing of SALW (i.a. French-Swiss proposal) as well as an international instrument on brokering as a priority;

8. Working for the successful conclusion of a reconvened 5th BWC Review Conference in November 2002;

9. Working in favour or a successful and early conclusion of negotiations under way in Vienna to expand the scope and application of the Convention of the Physical Protection of Nuclear Material;

10. Strengthening the CCW, through the promotion of measures aimed at verifying compliance with the convention and its protocols, and through the development of legally binding instruments, especially on explosive remnants of war.

In order to achieve the aims contained in this Chapter, the EU and its Member States will exchange information about the results of demarches with a view to establishing a country focused database.

CHAPTER II - Export controls

The EU as such and its Member States will:

1. Assess appropriate ways of improving the existing export control mechanisms: Nuclear Suppliers' Group, Zanger Committee, Missile Technology Control Regime, Australia Group and the Wassenaar Arrangement, as a contribution in the fight against terrorism, in order to prevent the diversion by terrorists of any weapons or "dual use" items or technologies.

2. Establish or further develop EU co-ordinating mechanisms with the aim to improve information exchange practices in different export control regimes and arrangements, in order to provide accurate and up to date information on risks of proliferation involving non-state actors and states that support them.

3. Promote, within the regimes and arrangements, common understanding and strict adherence to their guidelines, principles and practices.

4. Promote the inclusion of "prevention of terrorism" in the objectives of all existing export control regimes and arrangements.

5. Promote, where applicable, in the framework of intensified out-reach activities, adherence to effective export control criteria by countries outside the existing export control regimes and arrangements.

6. Examine measures, in close co-operation with the Commission, to improve the enforcement of the common control system based on the Council Regulation (EC) No 1334/2000 on dual use items and technology and consider whether there are further regulatory measures that could be adopted to render the control system more effective regarding non-proliferation by, among others, the following measures:
   - more regular exchanges of information between Member States (e.g. in the co-ordination group);

- examine implementation by Member States of controls on transhipment, transit and post-clearance, according to the provisions of the Community customs code.

7. Invite the relevant EU institutions to consider initiating a review of the denial notice system to ensure that is operating efficiently after more than three years since its inception.

CHAPTER III – International co-operation.

The EU as such and its Member States will:

1. Improve preparation for international assistance in relation to the CWC and the BWC to protect states against the use or threat of chemical and biological weapons in consistence with the decisions agreed upon by the European Council of Ghent.

2. Provide, as appropriate, international assistance through the OPCW, in accordance with Article X of the Chemical Weapons Convention.

3. Continue its efforts to maintain and upgrade, where appropriate, a high level of physical protection on nuclear material and facilities, and to make use of the relevant provisions of the CPPMN regarding international co-operation in the case of misuse or theft of nuclear material.

4. Make full use, as regards sources and radioactive materials, of the provisions of the convention on assistance in the case of nuclear accident or radiological emergency.

5. Support and enhance, within the EU financial possibilities and building on already existing initiatives in the Russian Federation and other CIS, co-operation programmes for disarmament and non-proliferation with a view to:
   - assist in the destruction of weapons of mass destruction and their means of delivery;
   - assist in the disposition of the related released materials, including radioactive materials;
   - reduce proliferation risks, i.a. through ISTC/SCTU co-ordinated programmes;
   - improve the required legislative development and implementation (i.a. export control).

6. Study the possibilities for a targeted assistance programme on export controls for the Central Asian states.

7. Strengthen the co-operation in the field of destruction of SALW and other conventional weapons surpluses, as well as in facilitating the tracing of lines of supply.

CHAPTER IV - Political dialogue

The EU as such and its Member States will:

1. Intensify the political dialogue on disarmament, arms control and non-proliferation, in particular with countries in Asia and the Middle East.

2. Invite like-minded countries outside of the EU to join the effort to promote the universalisation of multilateral instruments.

3. Intensify and expand co-operation with candidate countries related to export control, with a view to improving their capacity to fulfil the requirements of common export control, and thus support in concrete terms their membership in all export control regimes. Raise more frequently export control issues with third countries in the context of political dialogue.

4. Promote the implementation of the relevant provisions of the UN Security Council resolutions and decisions.

5. Promote a strict implementation of UN, EU and OSCE arms embargoes.

The Council will consider the adoption of common positions and joint actions to assure the effective implementation of the listed measures.

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Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

17 April 2002

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First session
New York, 8-19 April 2002

Implementation of article VI of the Treaty and paragraph 4 (c) of the 1995 Decision on "Principles and objectives for nuclear non-proliferation and disarmament"

Report submitted by Ireland

1. As stated in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in the section entitled "Article VI and eighth to twelfth preambular paragraphs", in paragraph 15, subparagraph 12, the Conference agreed on: "Regular reports, within the framework of the strengthened review process for the Non-Proliferation Treaty, by all States parties on the implementation of article VI and paragraph 4 (c)of the 1995 Decision on 'Principles and Objectives for Nuclear Non-Proliferation and Disarmament '".

2. Ireland hereby submits its report to the first session of the Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

The 2000 NPT Review Conference

3. During the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Ireland participated in the New Agenda'Coalition, which played a role in the final negotiations with the nuclear-weapon States to secure a successful outcome to the Conference. The group had prepared extensively for the Review Conference and had a common position as a basis for negotiations.

4. Ireland, as a member of the European Union (EU), also participated in developing a common EU position for the Review Conference. The Union delivered a statement at the Conference on the basis of this position.

5. In November 2000, the work of the 2000 Review Conference was followed up at the fifty-fifth session of the United Nations General Assembly. The New Agenda, presented a draft resolution (A/C. 1/55/L. 4 and Rev. 1, subsequently adopted as resolution 55/33C), which reaffirmed the results of the Conference. It received very strong support from Member States and was adopted on 20 November 2000 with only three countries voting against (India, Pakistan and Israel) and eight countries abstaining.

6. During the fifty-fifth session of the General Assembly, Ireland voted in favour of resolution 55/41, entitled "Comprehensive Nuclear-Test-Ban Treaty ", which called for necessary measures to enable the Treaty to enter into force. Ireland also voted in favour of Resolution 55/33B which called for the preservation of and compliance with the Treaty on the limitation of Anti-Ballistic Missile Systems. Ireland continued to vote in favour of the latter resolution in the fifty-sixth session of the General Assembly.

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7. In October 2001, the New Agenda Coalition decided not to present a resolution in the First Committee of the fifty-sixth session of the General Assembly. The New Agenda Ministers for Foreign Affairs expressed their views in a Ministerial Communique presented on 8 October 2001 in the Committee by the coordinator of the Group, South Africa. The Ministers agreed that the priority was to pursue their initiative in the context of the Non-Proliferation Treaty review process beginning in 2002.

8. In November 2001, the Irish Minister for Foreign Affairs, Mr. Brian Cowen TD, participated in the Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty. Mr. Cowen made a national statement in the plenary, reaffirming the centrality of the CTBT in efforts to achieve nuclear disarmament. He called upon those remaining states whose ratification is necessary for its entry into force promptly to ratify the Treaty without delay and without conditions.

9. In December 2001, the Irish Minister for Foreign Affairs issued a press statement noting with regret the decision of the United States to withdraw unilaterally from the Anti-Ballistic Missile Treaty while welcoming the consultations continuing with the Russian Federation concerning further reductions in their respective nuclear arsenals.

Preparations for the session of the Preparatory Committee 2002

10. Ireland also participated actively in the New Agenda's preparations for the Preparatory Committee session. A position paper was drafted stating fundamental principles of nuclear disarmament, taking stock of the developments since the 2000 Review Conference and making short term and long term suggestions for the way ahead. The New Agenda also released a press statement preceding the opening of the Preparatory Committee session and prepared statements to be delivered in the general debate and in the cluster debate about nuclear disarmament. The New Agenda will continue to be active in the period leading up to and during the First Committee of the General Assembly at its fifty-seventh session.

11 . In spring 2002, the European Union prepared a Statement to be delivered on behalf of the Union at the first session of the Preparatory Committee during the general debate.

Conference on Disarmament

12 . The Conference on Disarmament has not been able to agree on a programme of work and has thus remained idle in the period since the 2000 Review Conference. Several decisions of the Conference included in the 13-step action plan have therefore not yet materialized: the commencement of negotiations on a fissile material cut-off treaty and consideration of the questions of nuclear disarmament in subsidiary bodies of the Conference on Disarmament.

13. In February 2002, the Irish Ambassador to the Conference on Disarmament, Ms Mary Whelan, spoke in the Conference on Disarmament. Ambassador Whelan called upon the Conference on Disarmament to agree on a programme of work and expressed Ireland's readiness to accept the Amorim proposal in order to start negotiations on a fissile material cut-off treaty as well as to start dealing with nuclear disarmament and the prevention of an arms race in outer space.

14. In February 2002, the European Union, under the Presidency of Spain, delivered a statement in the Conference on Disarmament calling for the commencement of work in the Conference.

Safeguards: Additional Protocol

15. With regard to the Additional Protocol, Ireland, as a member of the European Union, is in the process of fulfilling its own requirements for entry into force. Additional Protocols for the EU member States will enter into force on the date when the Agency receives written notification from the EU States and Euratom that their respective requirements for entry into force have been met.

Export controls

16. Ireland participates in the Zangger Committee and the Nuclear Suppliers Group. The implementation of our obligation under article III, paragraph 2, of the Non-Proliferation Treaty is ensured by means of controlling exports from Ireland in accordance with EU Council regulation (EC)1334/2000.

Other issues

17. At the fifty-fifth and fifty-sixth sessions of the United Nations General 'Assembly, Ireland voted in favour of resolutions and decisions calling for regional nuclear-weapon-free zones. They are:

Establishment of a nuclear-weapon-free zone in the region of the Middle East - resolutions 55/30 and 56/21;

Establishment of a nuclear-weapon-free zone in Central Asia -resolution 55/33 W and decision 56/412;

Nuclear-weapon-free southern hemisphere and adjacent areas -resolutions 55/33 I and 56/24 G;

Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)- resolutions 55/39 and 56/30;

African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba)- resolution 56/17.

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Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

19 April 2002

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New York, 8-19 April 2002

Note verbale dated 18 April 2002 from the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the secretariat of the first session of the Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

The Permanent Mission of the Islamic Republic of Iran to the United Nations presents its compliments to the secretariat of the first session of the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and has the honour to request that the annex to document A/56/878-S/2002/289 be circulated as a document of the session (see annex).

02-34466 (E) 190402

Annex to the note verbale dated 18 April 2002 from the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the secretariat of the first session of the Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

On 10 March 2002, excerpts from a report entitled "Nuclear Posture Review", prepared by the United States Department of Defense, were published in the United States, which indicate the emergence of a new doctrine in the United States on the use of nuclear weapons.

While the document remains classified, statements on the record by various high-ranking officials of the United States Administration indicate that action plans are being devised to develop a new generation of nuclear weapons and improve the existing ones to be used against nuclear- as well as non-nuclear-weapon States.

This doctrine is a clear violation of the United States multilateral obligations under the Treaty on the Non-Proliferation of Nuclear Weapons and contradicts previous assurances officially undertaken by the United States at the highest level. This constitutes an alarming development which threatens to undermine the global non-proliferation regime.

It is important to recall that, in the early 1980s, all five nuclear-weapon States, in response to the international demand for a treaty on negative security assurances against nuclear weapons, undertook not to use such weapons against States parties to the Nuclear Non-Proliferation Treaty and those which renounce the production and acquisition of such weapons.

On 9 February 1982, the United States representative to the Committee on Disarmament stated: "The United States will not use nuclear weapons against any non-nuclear-weapon State party to the Non-Proliferation Treaty or any comparable internationally binding commitment not to acquire nuclear explosive devices, except in the case of an attack on the United States, its territories or armed forces, or its allies, by such a State allied to or associated with a nuclear-weapon State in carrying out or sustaining the attack".

On 5 April 1995, days before the 1995 Nuclear Non-Proliferation Treaty Review and Extension Conference, this pledge was reaffirmed through a statement by the United States Secretary of State and circulated as document A/50/153-S/1995/263.

This pledge was taken at face value both in Security Council resolution 984 (1995) of 11 April 1995 and in Nuclear Non-Proliferation Treaty Review and Extension Conference decision 2 on principles and objectives for nuclear non-proliferation and disarmament.

In paragraphs 1 and 2 of its resolution 984 (1995), the Security Council took note of the statements by the nuclear-weapon States "in which they give security assurances against the use of nuclear weapons to non-nuclear-weapon States that are parties to the Treaty on the Non-Proliferation of Nuclear Weapons" and recognized "the legitimate interest of non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to receive assurances that the Security Council, and above all its nuclear-weapon State permanent members, will act

immediately in accordance with the relevant provisions of the Charter of the United Nations, in the event that such States are the victim of an act of, or object of a threat of, aggression in which nuclear weapons are used".

In the eighth principle and objective contained in decision 2 on principles and objectives for nuclear non-proliferation and disarmament, adopted on 11 May 1995 by the Review and Extension Conference of the Nuclear Non-Proliferation Treaty, which extended the Treaty indefinitely, the Conference took note of Security Council resolution 984 (1995) as well as "the declarations of the nuclear-weapon States concerning both negative and positive security assurances" and stipulated that "further steps should be considered to assure non-nuclear-weapon States party to the Treaty against the use or threat of use of nuclear weapons. These steps could take the form of an internationally legally binding instrument".

The new United States doctrine on the use of nuclear weapons is in clear violation of the commitments which were made and reaffirmed to help the indefinite extension of the Nuclear Non-Proliferation Treaty. Furthermore, under article VI of the Treaty, the cessation of the nuclear arms race and nuclear disarmament constitute the undertaking of each of the Parties to the Treaty and it is self-evident that the nuclear-weapon States have a crucial role to play in this process.

The demand of the international community in its entirety for nuclear disarmament has been reflected in numerous documents adopted by the Nuclear Non-Proliferation Treaty Review Conferences, the General Assembly and other forums. The advisory opinion of the International Court of Justice has articulated the legal obligation to continue the endeavours for nuclear disarmament in good faith.

The 2000 Nuclear Non-Proliferation Treaty Review Conference called for "an unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States parties are committed under article VI". It called upon them to consider "a diminishing role for nuclear weapons in security policies to minimize the risk that these weapons ever be used and to facilitate the process of their total elimination".

The new United States doctrine on the use of nuclear weapons not only shifts back towards a new era of nuclear arms race, but also expands the role of nuclear weapons to conventional conflicts and even non-belligerent non-nuclear-weapon States.

There has been a growing trend within the current United States Administration to undermine multilateral efforts aimed at addressing global menaces ranging from terrorism and weapons of mass destruction to environmental degradation. This trend is a cause for grave concern which requires urgent and resolute universal attention and response.

Kamal Kharrazi
Minister for Foreign Affairs of the Islamic Republic of Iran

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Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

22 April 2002

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Report pursuant to the provisions of the final document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in particular to articles VI and VII of the Treaty

Submitted by Malaysia

Malaysia remains committed to the goal of attaining general and complete disarmament in the world, in particular, nuclear disarmament. The 2005 Review Conference provides the opportunity for the States parties as well as the rest of the international community to take stock of the implementation of the Treaty in support of the ultimate objective of the complete elimination of nuclear weapons. As States Members of the United Nations, States parties to the Treaty in particular have the moral responsibility to implement the resolve of their leaders at the Millennium Summit to strive for the elimination of weapons of mass destruction, particularly nuclear weapons, and to keep all options open for achieving this aim, including the possibility of convening an international conference to identify ways of eliminating nuclear dangers.

Malaysia became a signatory State of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) in 1968 and ratified the Treaty in 1970. It views the Treaty as a vitally important universal regime to stem the proliferation of nuclear weapons, which, in their tens of thousands, continue to pose a serious threat to international peace and security and to the survival of humanity on this planet. The 11 September terrorist attacks on the United States amplified the fragility of international peace and security and exposed the vulnerability of States to the dangers of nuclear terrorism.

Malaysia continued to work actively with other Members of the United Nations in the area of nuclear disarmament. As a concrete effort, Malaysia introduced for the sixth consecutive year a resolution on the International Court of Justice advisory opinion on the legality of the use and threat of nuclear weapons at the fifty-sixth session of the General Assembly, which was supported by the overwhelming majority of Member States. The resolution, inter alia, continues to underscore the unanimous opinion of the Court that there exists an obligation to

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pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control. The resolution was adopted by a recorded vote by the General Assembly on 29 November 2001 as resolution 56/24 S. Two new elements were introduced in preambular paragraphs 6 and 10 as follows:

Preambular paragraph 6:

"*Welcoming* the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, **adopted at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons**"

It is the view of Malaysia that the new preambular paragraph 6, which includes the new element (in bold), underscores the importance of the positive commitment of the nuclear-weapon States made at the 2000 NPT Review Conference, which hopefully would provide the necessary impetus for all States, especially nuclear-weapon States, to pursue the ultimate objective of nuclear disarmament.

Preambular paragraph 10:

"*Stressing* the importance of strengthening all existing nuclear-related disarmament, arms control and reduction measures"

Malaysia decided to incorporate this new paragraph to draw attention to, and stress the need to address, the weakening of existing nuclear disarmament treaties and the virtually complete standstill in negotiations on nuclear disarmament on both the bilateral and multilateral tracks.

The draft resolution was sponsored by 66 Member States and was adopted by 111 votes in favour, 29 against, with 21 abstentions, thereby showing the continued overwhelming support of the international community for it.

At the regional level, Malaysia continued to work actively with the Association of South-East Asian Nations (ASEAN) to strengthen the South-East Asia Nuclear-Weapon-Free Zone (SEANWFZ). It is our hope that SEANWFZ would create conditions conducive to peace and stability and to promoting regional confidence-building. The establishment of SEANWFZ is also a reflection of the genuine commitment of the States of South-East Asia towards achieving their common disarmament goal. Malaysia had ratified the Bangkok Treaty on 11 October 1996 and is working closely with its ASEAN neighbours in our common pursuit to encourage nuclear-weapon States to accede to the SEANWFZ Protocol at an early date. Malaysia also strongly supports the establishment of nuclear-weapon-free zones in other regions of the world, particularly in volatile regions, such as the Middle East and South Asia.

Malaysia is fundamentally opposed to nuclear tests undertaken by any country and strongly supports the overwhelming international opinion against such tests. Malaysia signed the Comprehensive Test-Ban Treaty on 23 July 1998 and is taking steps to ratify it. We believe, however, that the onus lies principally with the remaining 44 countries, stipulated in annex 2 to the Treaty, and would strongly urge them to take immediate steps to sign/accede/ratify the Treaty. Malaysia is also cooperating with the Preparatory Commission for the Comprehensive Nuclear-Test-

Ban Treaty to host a verification facility (radionuclide monitoring station) in Malaysia in support of the international monitoring system of the Treaty.

Malaysia reiterates its commitment to pursue its long-term goal towards the total elimination of all nuclear weapons. It underscores the importance of the multilateral approach towards disarmament and, in that context, strongly believes that the search for genuine measures for disarmament and non-proliferation, in particular in the area of nuclear disarmament, remains a high priority on the international agenda. In this regard, it is necessary for all States parties, in particular the nuclear-weapon States, to show their continued commitment to fulfil the implementation of agreements arrived at in 1995 as well as at the 2000 Review Conference.